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HIGH COURT OF CHHATTISGARH AT BILASPUR

Contempt Petition No. 109 of 2005

Single Bench: Hon'ble Shri Satish K. Agnihotri, J.

Petitioner		K.P. Patel, S/o Late Shri Ramashankar Patel, aged about 59 years, Executive Engineer (Civil), Water Resource Division, Jashpur Nagar (Chhattisgarh)
		-Versus-
Respondents	1.	Vivek Dhand, Secretary Department of Water Resources, D.K.S. Bhawan, Raipur (Chhattisgarh).
	2.	Mahammad Sami, Chief Engineer, Hasdeo Kachhar, Water Resources Department, Bilaspur (Chhattisgarh.

Mr. Sanjay K. Agrawal, Advocate for the Petitioner.

ORAL ORDER

(14th December 2005)

This court by judgment and order dated 7.9.2005 passed direction as follows,

> "For the reasons stated above, the petition is allowed and the respondents are directed to consider the case of the petitioner along with other eligible candidates strictly in accordance with the provisions of the Rules, 2003 to grant promotion. Consequently, the impugned order dated 1.4.2005 stands quashed and set aside. The petitioner is entitled to continue as Executive Engineer on the basis of ad hoc promotion till the D.P.C. considers the case of the petitioner in accordance with the provisions of Rules, 2003."

Learned counsel appearing for the petitioner submits that the respondents have not complied with the order of this court deliberately and intentionally by transferring the petitioner from the office of Chief Engineer, Minimata Bango Pariyojana, Bilaspur

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to the office of the Chief Engineer, Hasdeo Kachhar, Water Resources Department, Bilaspur in the same capacity as Ad hoc Executive Engineer.

Learned counsel for the petitioner further submits that this amounts to non-compliance and violation of this court's order dated 7.9.2005 passed in W.P. No. 1514/2005. This is for the employer to transfer an employee from one place to other place in accordance with administrative convenience and public interest, even otherwise, that was not the issue in the writ petition. This court has not directed the petitioner to post him at one place forever. The respondents have complied with the direction passed by this court by judgment and order dated 7.9.2005 in W.P. No. 1514/2005.

There is no question of any contempt for the reasons stated above. Accordingly, the contempt petition is dismissed. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

Babla